## REMARKS

Claims 22-42 are all the claims pending in the application. Claims 22-42 are rejected.

**Detailed Action**

**A) Claim Objections**

Claims 41 and 42 were objected to under 37 C.F.R. § 1.75 as being substantial duplicates of the claims from which they depend.

Claims 41 and 42 have been amended to recite methods.

Accordingly, the Examiner is requested to reconsider and remove this rejection.

Should the Examiner find that Applicants constructively elected product claims, the Examiner is requested to rejoin the method claims upon indication of allowability of the product claims.

**B) Claim Rejections - 35 U.S.C. § 112**

Claims 27 and 38 were rejected under 35 U.S.C. § 112, second paragraph.

Specifically, the Examiner asserted that in claims 27 and 38, the G variable as representing "$SO_2$" lacked antecedent basis in the claims from which claims 27 and 38 depend.

Claims 27 and 38 have been amended to delete the reference to G being $SO_2$.

Accordingly, the Examiner is requested to reconsider and remove this rejection.

**C) Claim Rejections - Double Patenting**

Claims 22-42 were provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 18, 19, 21-23, 26-30, 35, 37 and 38 of co-pending Application No. 09/743,483.

Submitted herewith is a Terminal Disclaimer as to U.S. Application No. 09/743,483.

Thus, the rejection is overcome and removed is requested.

**D) Claim Rejections - 35 U.S.C. § 102**

Claims 31, 33 and 35-42 were rejected under 35 U.S.C. § 102(b) as being anticipated by:

a) Nicolai, et al. {Journal of Medicinal Chenistry (1993), 36(9), pages 1175-1187}- see, for example, Tables IV, V and VI on pages 1181, 1182 and 1183, respectively, compounds 7a, 7b, 7c, etc.;

b) Bru-Magniez, et al. {U.S. Patent 5,021,443} - see, for example, Example 63 in column 29;

c) Bru-Magniez, et al. {U.S. Patent 5,124,336} - see, for example, Example 59 in column 41;

d) Bru-Magniez, et al. {U.S. Patent 5,128,359} - see, for example, Example 64 in column 41;

According to the Examiner, the above cited references disclose products embraced by the instant claims.

The proviso of claim 31 has been amended to exclude the type of compounds disclosed in the cited references. See the chart below, where the proviso represents pattern 1.

| | $X^1$ | $X^2$ | J |
|---|---|---|---|
| Pattern 1 | **A group other than** a cyano group, $-CH_2NH_2$, $-CH=NR^1$, $-CH=NOR^1$ or $-CONR^1R^2$ | **A group other than** a cyano group, $-CH_2NH_2$, $-CH=NR^1$, $-CH=NOR^1$ or $-CONR^1R^2$ | Substituted naphthalene ring |
| Pattern 2 | **A group other than** a cyano group, $-CH_2NH_2$, $-CH=NR^1$, $-CH=NOR^1$ or $-CONR^1R^2$ | a cyano group, $-CH_2NH_2$, $-CH=NR^1$, $-CH=NOR^1$ or $-CONR^1R^2$ | Substituted or unsubstituted C4-10 aryl group (**inclusive of** a substituted naphthalene ring) |
| Pattern 3 | a cyano group, $-CH_2NH_2$, $-CH=NR^1$, $-CH=NOR^1$ or $-CONR^1R^2$ | **A group other than** a cyano group, $-CH_2NH_2$, $-CH=NR^1$, $-CH=NOR^1$ or $-CONR^1R^2$ | Substituted or unsubstituted C4-10 aryl group (**inclusive of** a substituted naphthalene ring) |
| Pattern 4 | a cyano group, $-CH_2NH_2$, $-CH=NR^1$, $-CH=NOR^1$ or $-CONR^1R^2$ | a cyano group, $-CH_2NH_2$, $-CH=NR^1$, $-CH=NOR^1$ or $-CONR^1R^2$ | Substituted or unsubstituted C4-10 aryl group (**inclusive of** a substituted naphthalene ring) |

Accordingly, the Examiner is requested to reconsider and remove the rejection.

**E) Claim Rejections - 35 U.S.C. § 103**

Claims 31, 33 and 35-42 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Bru-Magniez, et al. {U.S. Patent 5,021,443}, Bru-Magniez, et al. {U.S. Patent 5,124,336} and Bru-Magniez, et al. {U.S. Patent 5,128,359}, each taken alone or in combination with each other when similar utilities are asserted.

As discussed above, the compounds of amended claim 31 do not overlap with the compounds of Bru-Magniez, *et al.* Additionally, the presently claimed compounds have activity to inhibit chymase whereas the only activity attributed to the compounds of the cited references,

is as thromboxane receptor antagonists ($TXA_2$). These activities are not "similar" as the Examiner asserted.

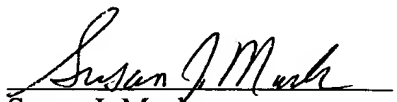
More specifically, $TXA_2$ receptor is a 7 transmembrane receptor (rhodopsin family) and consists of 343 amino acids. In contrast, chymase is a serine protease and consists of 226 amino acids. Further, chymase does not share homology with $TXA_2$ in each of the genetic sequence, the three-dimensional protein structure, and the biochemical function.

Accordingly, the compounds recited in the present claims differ from those disclosed in the cited references in both structure and activity, and the Examiner is requested to reconsider and remove the rejection.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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